

603 KAR 5:072. Mandatory annual bus inspection.

RELATES TO: KRS 189.231, Chapter 281

STATUTORY AUTHORITY: KRS 189.231, 281.600

NECESSITY, FUNCTION, AND CONFORMITY: KRS 189.231 authorizes the Secretary of Transportation to restrict or regulate traffic on state-maintained highways in such manner as is reasonably necessary to promote the safety and convenience of the traveling public. KRS 281.600 authorizes the Department of Vehicle Regulation to promulgate administrative regulations regarding safety requirements for and method of operation of motor vehicles. This administrative regulation sets forth the requirement that buses undergo a safety inspection at least once each year. It further provides notice that the annual safety inspection of buses subject to 601 KAR 1:005 shall be performed pursuant to that administrative regulation rather than this one.

Section 1. Definition. "Bus" shall mean all motor vehicles that are required to be registered under the terms of KRS 186.050 or 186.060, designed and used for carrying passengers and having provisions for more than nine (9) passengers including the driver. "Bus" shall not include motor vehicles operated by any common school system, motor vehicles operated under a city bus certificate required by KRS Chapter 281 when operating within the corporate limits of a city, and regular route bus operators operating under a certificate required by KRS Chapter 281.

Section 2. Annual Inspections. All buses be inspected annually by Transportation Cabinet, Department of Vehicle Regulation personnel for compliance with the minimum vehicle safety equipment standards established under Federal Motor Carrier Safety Regulations adopted by the United States Department of Transportation as 49 Code of Federal Regulations, Part 393, and adopted by Kentucky Administrative Regulation 601 KAR 1:005.

(2) The annual inspection shall be performed by the Division of Motor Vehicle Enforcement. The inspection may take place at any of Kentucky's weigh stations or arrangements may be made by contacting the Division of Motor Vehicle Enforcement at (502) 564-3276.

Section 3. Proof of Inspection. (1) When a bus passes an inspection, the Transportation Cabinet shall issue to the bus owner a decal and a document showing that the bus has passed.

(2) The decal shall be affixed to the lower right-hand corner of the front windshield of the bus.

(3) The document showing the bus has passed inspection shall be carried in the bus at all times.

(4) Any law enforcement officer can require the operator of a bus to produce the current document showing the bus has passed inspection.

Section 4. Out-of-service Sticker. (1) If a bus is determined to be out of compliance with the minimum safety requirements, employees of the Transportation Cabinet may affix to it an out-of-service sticker pursuant to the provisions of 601 KAR 1:005.

(2) Correction of the noncompliance item shall be required before the bus is further operated.

Section 5. Exceptions. (1) Buses subject to the annual mandatory Motor Carrier Safety Inspection Program set forth in 601 KAR 1:005, Section 2(9) shall be exempt from the requirements of this administrative regulation.

(2) Buses subject to any of the provisions of 601 KAR 1:005 shall continue to be governed by that administrative regulation. (15 Ky.R. 101; Am. 806; eff. 9-2-88; 1915; eff. 3-7-89; 22 Ky.R. 348; eff. 10-3-95.)